

Expedited Procedure Under 37 CFR §1.116

Application No. 09/936,664

Paper Dated April 7, 2005

In Reply to Final Office Action dated January 10, 2005

Attorney Docket No. 2005-011339

REMARKS

Claims 1-34 are pending in this application. Claim 11 has been amended while Claims 1-10 and 12 - 34 remain unchanged. No new subject matter is believed to have been added by this Amendment.

The Examiner has allowed claims 1-10, 12 and 15-34. However, claims 11, 13 and 14 stand rejected under 35 USC § 103(a) as being obvious from the teaching of United States Patent No. 6,155,619 to Kirkpatrick et al. (hereinafter the "Kirkpatrick patent"). The Kirkpatrick patent is directed to a grapple having one or more tines wherein as illustrated in Fig. 2 a tine 50 is permanently connected to a lower body 20 of a head assembly 10. A cylinder 30 is connected from the lower body 20 of the head assembly 10 and to a bolt 70 through holes 59 extending through the tine 50. Because the cylinder 30 is secured to the bolt 70 relatively far from the tip 90 of the tine 50, the force to the tip 90 imparted by the cylinder 30 is limited by the length of the lever arm between bolt 59 and the tip 90. On the other hand, as illustrated in Figs. 1 and 2 of the subject application, the end 20 of the hydraulic cylinder 16 is connected to the claw tine body 12 at a location approximate to the tip, which is the removable end 22. By utilizing such a design the cylinder 16 is able to impart a much higher force at location approximate to the tip. Such a feature is neither taught nor suggested by the Kirkpatrick patent and furthermore, because of the design of the tine 50 in the Kirkpatrick patent it will be difficult if not impossible to move the bolt 70 closer to the tip 90 of the tine 50. For these reasons, the applicants believe that claim 11 as amended is patentably distinct over the teaching of the Kirkpatrick patent. Additionally, claims 13 and 14 depend from what is believed to be patentably distinct independent claim 11 and are themselves believed to be patentably distinct over the prior art of record.

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Reconsideration of claims 11, 13 and 14 and allowance of these claims along with the maintenance of the remaining claims 1-10, 12 and 15-34 are respectfully requested.

Respectfully submitted,

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